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October 2, 2007

VIA FACSIMILE

## MEMORANDUM ENDORSED

Honorable Gabriel W. Gorenstein  
 United States Courthouse  
 500 Pearl Street  
 New York, NY 10007

Re: Mike's Train House, Inc. v. Lionel LLC, 07 Civ. 7946 (RMB)

Dear Judge Gorenstein:

Per my telephone conversation with your clerk this afternoon, I can confirm to you that, after speaking to opposing counsel, the parties and their principals are available to meet with you for a settlement conference on October 12, 2007 at 10 am. The parties have also invited Alan Halperin, legal counsel for the Creditors Committee in the Lionel Bankruptcy, to attend.

Respectfully yours,

Robert A. Swift

RAS:yr  
 Cc via e-mail: Adam Harris, Esquire

conference will be held October 12  
 at 10 am. The letters are now due  
 on October 9.

SO ORDERED: DATE: 10/2/2007  
  
 GABRIEL W. GORENSTEIN  
 UNITED STATES MAGISTRATE JUDGE